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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,454	11/15/2000	Erling R. Anderson	SP00-037	3395

7590 06/29/2004

Corning Incorporated  
SP TI 03 1  
Corning, NY 14831

EXAMINER
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NGUYEN, TU T

ART UNIT	PAPER NUMBER
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2877

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/713,454	ANDERSON ET AL. <span style="float: right;">CK</span>	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tu T. Nguyen	2877	

**-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 18 March 2004.

2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1-14, 24-52 is/are pending in the application.

4a) Of the above claim(s) 28-47 is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-14, 24-27 and 48-52 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All    b) ☐ Some \*    c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

<p>1) <input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____</p>	<p>4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p>
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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14,24-27,48-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloom (5,871,559) in view of Fukuoka et al (5,253,035).

With respect to claim 1, Bloom discloses a system for automated testing of optical fiber. The system comprises: at least one automated test station 73 (fig 2) adapted to guide 14a (fig 2) a first end of the optical fiber 10a (fig 2) which is stored on a storage spool 12a (fig 2) to a first testing device 230 (fig 15) (column 7, lines 10-12).

Bloom does not disclose a conveyor system. Fukuoka discloses a carrying unit (column 3, lines 50-56) for transporting an optical fiber holder to different processing units. It would have been obvious to combine Bloom with Fukuoka's carrying unit to automatically transport the spool to the testing unit.

Fukuoka does not disclose a conveyor. However, Fukuoka's carrying unit performs the same function as the claimed conveyor (used for transporting the fiber to different processing units) and the claimed conveyor would have been known. It would have obvious to substitute Fukuoka's carrying unit with the known conveyor to transport the spool easier.

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With respect to claim 2, Bloom discloses a stripping device 136 (fig 6G).

With respect to claim 3, Bloom does not explicitly disclose stripping the second end of the fiber and guiding the second end of the fiber to the test device. However, the claimed limitation would have been obvious because Bloom discloses a test device 230 (fig 15) for testing a fiber 50 (fig 15) by using both fiber ends 228a, 228b (fig 15).

With respect to claims 4-5,8,25, the systems for cleaving, cleaning the fiber would have been known. It would have been obvious to modify Bloom with the known systems for facilitate the testing.

With respect to claim 6, Bloom discloses cutting the fiber at a predetermined point (column 6, lines 49-50).

With respect to claim 7, refer to discussion in claims 1-5 above.

With respect to claims 9,51, it would have been obvious a design choice to modify Bloom with a second test system or a system for cutting the fiber into a plurality of portions with different predetermined lengths as claimed for testing different characteristics of the fiber.

With respect to claim 10, using an OTDR for testing an optical fiber would have been known. It would have been obvious to modify Bloom with the known OTDR to make the system more accurate.

With respect to claims 11-12, the system for measuring the optical dispersion of the fiber or a pallet or RF tag device would have been known. It would have been obvious to modify Bloom with the known claimed limitations to test different characteristics of the fiber and to facilitate the testing.

With respect to claim 13, it would have been obvious to modify Bloom with a plurality of test devices for testing different characteristics of the fiber.

With respect to claim 14, refer to discussion in claim 1-5 above and claim 13 for a plurality of test devices.

With respect to claim 24, refer to discussion in claim 1 above for the testing system and claim 6 for acquiring the fiber.

With respect to claim 26, it would have been obvious a design choice to discard or keep the sample length after the testing.

With respect to claim 27, refer to discussion in claim 1 above for the conveyor.

With respect to claim 48, refer to discussion in claim 1 for testing a fiber in a spool. Bloom does not disclose placing the spool onto a pallet. However, the claimed pallet would have been known. It would have been obvious to modify Bloom by placing the spool onto the pallet for providing extra protection to the fiber.

With respect to claims 49-50, the skill artisan would have been obvious to modify Bloom's system such that pulling the first of the fiber does not disturb the second end of the fiber or other way around to make the testing more accurate.

With respect to claim 52, refer to discussion in claim 1 above for the testing and transporting system, claim 2 for cutting system and claim 48 for the spool.

### ***Response to Arguments***

Applicant's arguments filed 03/18/2004 have been fully considered but they are not persuasive.

Applicant argues the following:

- 1) Bloom does not testing a fiber which stored on a storage spool.
- 2) Bloom does not disclose a conveyor system.
- 3) Bloom does not seeking a method of inspecting bare optical fiber.

With respect to the first Applicant's argument, Bloom does disclose testing a fiber which stored on a storage spool. Bloom discloses a testing fiber 10a (fig 2) pulled by a gripping means 14a (fig 2) from a storage spool 12a (fig 2).

With respect to the second Applicant's argument, refer to discussion in claim 1 above for the claimed conveyor.

With respect to the third Applicant's argument, Applicant does not claim inspecting a bare optical fiber. Applicant claims inspecting an optical which is stored on a storage spool. Bloom discloses inspecting 58b (fig 14B) or (fig 15) an optical fiber wounded on a storage spool 12a (fig 2). Further, Bloom also teaches testing a bare fiber (column 1, lines 54-60). It would have been obvious to modify Bloom's system to test bare optical fiber to ensure the quality of the bare fiber before sending to different processing unit.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu T. Nguyen whose telephone number is (571) 272-2424. The examiner can normally be reached on T-F 7:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tu T. Nguyen  
Primary Examiner  
Art Unit 2877

06/27/2004